

Dyrektywa Budynkowa na horyzoncie

Mandatory solar energy in buildings

The construction industry in the European Union is facing another challenge. Reducing energy consumption and reducing greenhouse gas emissions by implementing mandatory solar installations in buildings.

Buildings are responsible for as much as 40% of total final energy consumption in the EU and 36% of energy-related greenhouse gas emissions. Despite this, as many as 75% of buildings in the Union are still energy inefficient.

In order to counter this, it is crucial to increase the use of renewable energy, including solar energy. According to the EU lawmakers, this will not only help in the fight against energy poverty, but also in reducing greenhouse gas emissions. In addition, the development of RES will reduce the Union's dependence on fossil fuels, especially their imports and strengthen the energy security of our part of the world

Solar energy in new buildings

The EPBD contains obligations for property owners to install solar energy systems. It is indicated that the use of solar energy in buildings could effectively reduce the vulnerability of consumers to fossil fuel price fluctuations and reduce energy costs for vulnerable people.

The EPBD introduces the principle that all **new buildings** should be designed to be ready for the installation of solar energy sources at a later stage. Projects should consider optimising a facility's solar potential based on the solar irradiance of the site.







Katarzyna Koszel-Zawadka Partner I Attorney-at-law katarzyna.koszel-zawadka@bakertilly.pl



Piotr Nowak

Junior Assocciate
piotr.nowak@bakertilly.pl



Calendar of solar installation dates for different buildings:

Specific deadlines have been set for the installation of solar energy systems for the various categories of buildings, provided that this is technically appropriate as well as economically and functionally feasible:

by 31 December 2026 on all new public and non-residential buildings with a usable floor area of more than 250 m^2 .

by 31 December 2027 on:

- existing public buildings with a useable area over 2,000 m²;
- existing non-residential buildings with a useable floor area of more than 500 m², provided that the building undergoes substantial renovation or other actions requiring an administrative permit for renovation, roof work or the installation of a technical building system.

by 31 December 2028 on all existing public buildings with a usable floor area of more than 750 m².

by 31 December 2029 on:

- · new residential buildings;
- new covered car parks physically adjacent to the buildings.

by 31 December 2030 on all existing public buildings with a usable floor area over 250 m².

Action by Member States

The EPBD stipulates that each Member State must establish and publish criteria for meeting the abovementioned obligations and for possible exemptions from these obligations for certain types of buildings. In addition, Member States will have to introduce the necessary administrative, technical and financial measures to support the use of solar energy in buildings.

It should be borne in mind that the EPBD has not yet undergone the process of implementation into the Polish legal order, which involves the possibility of introducing exceptions to the above-mentioned obligations, as well as the risk of the Polish legislator adopting even more ambitious RES targets.

Baker Tilly Legal Poland is a law firm focused on serving entrepreneurs in all key areas of their business. The firm's team consists of lawyers with many years of international transactional and advisory experience.

The law firm is a member of the international network of **Baker Tilly International** - one of the world's 10 largest business advisory and audit firms and **TPA** - an international consulting group.

The firm's diverse practice allows it to provide services to representatives from various economic sectors, including real estate, construction, energy, automotive, manufacturing, trade and distribution, new technologies and FMCG.

Baker Tilly Legal Poland

Młynska 12 61-730 Poznan, Poland tel: +48 61 630 05 00

Przyokopowa 33 01-208 Warsaw, Poland tel: +48 22 647 99 00

e-mail: legal@bakertilly.pl